

The 16th October, 1984

No. 9/5/84-6Lab/6945.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Asian Ceramics Pvt. Ltd., Modern Industrial Estate, Bahadurgarh:—

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 144 of 78 and 126 to 132 all of 78

between

S/SHRI MOTI LAL, HANS NATH SINGH, TRILOCHAN, GIRDHARI NAYAK, RAJ NARAIN, GOVERDHAN, PHOJDAR, AMAR NATH AND THE MANAGEMENT OF M/S. ASIAN CERAMICS PVT. LTD., MODERN INDUSTRIAL ESTATE, BAHADURGARH

Present :—

Workman in person

Shri M.M. Kaushal, A.R., for the management.

#### AWARD

In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workmen S/Shri Moti Lal, Hans Nath Singh, Trilochan, Girdhari Nayak, Raj Narain, Goverdhan, Phojar, Amar Nath and their management of M/s Asian Ceramics Pvt. Ltd., Modern Industrial Estate, Bahadurgarh, to this Court, for adjudication,—vide Labour Department Gazette Notifications Nos. RTK/38-M-78/32026, RTK/38-M-78/31947, RTK/38-M-78/31941, RTK/38-M-78/31935, RTK/38-M-78/31929, RTK/38-M-78/31923, RTK/38-M-78/31917, RTK/38-M-78/31911, all of dated 12th July, 1978. The terms of reference in all the cases are the same except the name of the workman.

Whether the termination of service of Shri Moti Lal was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workmen filed similar claim statements, in which they alleged that they have been working with the respondent as Finishmen and Checker for the last more than three years but the management terminated their services illegally on 6th July, 1977 without giving any notice and without payment of any retrenchment compensation as envisaged under section 25F of the Industrial disputes Act. They also alleged that employees junior to the workman retrenched were retained by the respondent management. In the detailed written statement filed by the management, it has controverted the various allegations made in the claim statement. I need not detail the same, because these references are being decided on grounds other than merits.

3. On the pleadings of the parties, the following issues were framed on 7th February, 1979:—

- (1) Whether the retrenchment of the workman by the management is legal and satisfies all the pre-requisite?
- (2) Whether the termination of services of the workman was justified and in order?
- (3) If not, to what relief are they entitled?
- (4) These references bearing numbers 144 and 126 to 132 all of 78 were ordered to be consolidated by my learned predecessor Shri B. L. Goyal,—vide dated 12th October, 1979. He further directed that proceedings shall be recorded in reference No. 144 of 78.
- (5) After the parties had gone through the gamut of adducing evidence, the workman chose to settle their claims with the management. Thereunder the workmen have been paid the following amount by the management:—

1. Shri Moti Lal-I, son of Shri Hari Paul

Rs 310—74

2. Shri Hans Nath Singh

Rs 634—67

3. Shri Trilochan	Rs 297—29
4. Shri Girdhari Nayak	Rs 286—63
5. Shri Raj Narain	Rs 564—24
6. Shri Goverdhan	Rs 311—15
7. Shri Phojdar	Rs 698—88
8. Shri Amar Nath	Rs 634—75

6. So, in view of the settlement arrived at between the parties, no dispute award is rendered. The references are answered and returned accordingly. No order as to cost. A copy of this award be placed upon the file of references numbers 126 to 132 all of 1978.

Dated, the 27th August, 1984.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

Endst. No. 3138, dated 24th September, 84.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

No. 9/5/84-Lab./6951.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management M/s Mahesh Wood Products (P) Ltd., Bahalgarh, Sonapat :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 108 of 83

between

SHRI SUBHASH CHAND, WORKMAN AND THE MANAGEMENT OF M/S. MAHESH WOOD PRODUCTS (P) LTD., BAHALGARH (SONEPAT)

Present:—

Shri S. N. Solanki, A.R. for the workman.

Shri Sanjeev Sone, Manager for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman and Shri Subhash Chand and management of M/s Mahesh Wood Products (P) Ltd., Bahalgarh (Sonapat) to this Court, for adjudication. Notification No. ID/SPT/92-93/32352-57, dated 8th July, 1983:—

Whether the termination of services of Shri Subhash Chand was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The workman alleged that he was employed as Labourer with the respondent on monthly wages of Rs 314-50 but his services were terminated on 8th November, 1982 after giving a complete go-bye to the provisions of the Industrial Disputes Act, 1947.

3. Before a reply could be filed by the respondent, the workman made a statement that he has since been reinstated by the respondent with effect from 29th May, 1983 and as such he does not want to prosecute this reference. So, no dispute survives for adjudication. This reference is answered and returned accordingly. There is no order as to costs.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

Dated, the 31st August, 1984.

Endorsement No. 108/83/3146, dated 24th September, 1984.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.